

June 8, 1996

Secretary  
Federal Communications Commission  
1919 "M" Street, N.W.  
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

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FCC MAIL ROOM

Re: Notice of Proposed Rulemaking, (RM-8760) in Amending Section 73.202(b) in the Table of Allotments, FM Broadcast Stations (Manitowoc and Two Rivers, Wisconsin)

Dear Secretary:

Enclosed are our comments and counter-proposal, an original and four copies, timely filed, in this matter. If there are any questions, please contact the undersigned at (414) 755-2305.

Sincerely,

METRO NORTH COMMUNICATIONS, INCORPORATED



Bonita Meyer, President

P.O. Box 105

New Holstein, WI 53061

No. of Copies rec'd 0+4  
List ABCDE MMB

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the matter of:

Amendment of Section 73.203(b)  
Table of Assignments,  
FM Broadcast Stations  
(Two Rivers and Manitowoc, Wisconsin)  
(RM-8760)

**RECEIVED**  
**JUN 1 0 1996**  
**FCC MAIL ROOM**

To:  
John A. Karousos  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

**COUNTER-PROPOSAL AND COMMENTS IN AMENDING THE FM TABLE OF  
ASSIGNMENTS TO INCLUDE A FIRST FM SERVICE TO TWO RIVERS, WISCONSIN**

Comes now, Metro North Communications, Incorporated, by its' President, Bonita Meyer, applicant for a new FM radio station at New Holstein, Wisconsin with comments and a counter-proposal for the request of Lyle R. Evans d/b/a High Mark Radio Company (hereinafter "Evans") to allocate Two Rivers, Wisconsin its first FM assignment.

Evans proposes to allocate Channel 255A into Two Rivers, Wisconsin, provided a site-restriction to Station WQLH-FM, Green Bay, Wisconsin is maintained.

**AS THE APPLICANT FOR AN F.M. STATION IN A NEIGHBORING MARKET, WE  
QUESTION WHETHER ANY SUITABLE TOWER SITES ARE AVAILABLE**

Whereas, Metro North Communications, Incorporated has researched the proposal to add a new channel with a site restriction of (7.5 miles) 12.1 kilometers southwest of Two Rivers, Wisconsin, and believes that even if the assignment is made, that no suitable tower site would exist which would allow for a "city grade" coverage of Two Rivers, due to the close proximity to the Manitowoc County Airport, and by reluctant owners of property within a very small tower site area.

**EVANS ASSERTS THERE ARE NUMEROUS TOWER SITES AVAILABLE, BUT  
THAT MAY NOT BE TRUTHFUL, WITH EXHIBITS PROVIDED BY  
REPRESENTATIVES OF LOCAL GOVERNMENT AND PRIVATE RESIDENT.**

Enclosed as Exhibits, are letters from the Mayor of Manitowoc, Wisconsin - Mr. Kevin Crawford, who states "Our City has grave concerns with the preservation of our community's aesthetic integrity, health and safety; all issues which are relevant in the siting of this tower. The proposed location of this tower is not compatible with surrounding land uses. The tower is proposed to be sited in an area offering both high environmental quality, and strong development potential for upscale, residential housing. To select this area for a radio tower is not consistent with our local planning efforts, and would severely retard the property from reaching its highest and best use.....This suggested tower location does not meet these criteria, and is not compatible." (See EXHIBIT "A") As a final exhibit, the owner of one of the largest privately owned parcels in the area, Mr. Paul A. Stitt states, "I do not believe that a tower would be acceptable in this type of pristine and natural development. I have no intent to allow any tower structure on my property." Mr. Stitt further states, "My parcel of 19.71 acres is one of the largest privately owned parcels in the area." (See EXHIBIT "B")

**A COUNTER-PROPOSAL IS WARRANTED, BUT A NEW FREQUENCY  
ALLOCATED INTO THE AREA IS NOT NECESSARY, AND WQTC-FM IN  
MANITOWOC, DESERVES TO RECEIVE TWO RIVERS' "FIRST" FM ALLOCATION**

That, Radio Station WQTC-FM, owned by Seehafer Broadcasting Corporation has been operating with a Two Rivers, Wisconsin "city of license" identification since coming on the air in 1967, and that Seehafer Broadcasting Corporation has done a good job in serving the Two Rivers community. In fact, WQTC-FM was allowed to be licensed to Two Rivers, Wisconsin under the old 10-mile rule, almost thirty years ago.

That, Radio Station WQTC-FM already is operating from a tower site which is located only 0.82 miles from the City Limits of Two Rivers, Wisconsin and uses the Two Rivers name in it's primary station identification, and has been closely associated with Two Rivers since coming on the air in 1967, and has earned the right to be the station to be granted the Two Rivers assignment. WQTC-FM provides a 100% "city grade" signal over Two Rivers, Wisconsin presently, with only 3,000 watts.

Therefore, Metro North Communications, Incorporated counter-proposes to make the following assignments to Manitowoc and Two Rivers, Wisconsin:

	Channel No.	
<u>City:</u>	<u>Present</u>	<u>Proposed</u>
Manitowoc, Wisconsin	221A, 272A	221A
Two Rivers, Wisconsin	None	272A

Such an assignment would provide Two Rivers, Wisconsin with it's first (but, already existing) FM service to that city. Since there is no assurance that in the event of a grant of a Construction Permit for Channel 255A, that in fact, any suitable tower location is available, the addition of Channel 255A should be deleted as not needed


and unnecessary.

Respectfully submitted,

METRO NORTH COMMUNICATIONS, INCORPORATED

(seal)

Subscribed and Sworn Before Me  
this 8th day of June, 1996.



Bonita Meyer, President

P.O. Box 105

New Holstein, WI 53061

(414) 755-2305

June 8, 1996

  
Notary Public. Comm Exp 4/20/97

EXHIBIT A.

June 6, 1996



To Whom it May Concern:

I am writing this letter as the Mayor of the City of Manitowoc, WI, and wish to express my opposition and concern with the potential siting of High Mark Radio Company's new FM radio station tower in Manitowoc.

Our City has grave concerns with the preservation of our community's aesthetic integrity, health and safety; all issues which are relevant in the siting of this tower. The proposed location of this tower is not compatible with surrounding land uses. The tower is proposed to be sited in an area offering both high environmental quality, and strong development potential for upscale, residential housing. To select this area for a radio tower is not consistent with our local planning efforts, and would severely retard the property from reaching its highest and best use.



OFFICE OF MAYOR

While we recognize that these towers need to be located, we also acknowledge the responsibility of local government to deal with these siting issues in a manner which balances these issues with our community's needs. Sites for these towers must be compatible with surrounding land uses, and should be located in a more rural setting, away from residents, and in such a manner as to not diminish the value of surrounding properties. This suggested tower location does not meet these criteria, and is not compatible.

Please accept this letter as our opposition to this proposal, but also an invitation to discuss potential sites in the future. If we are brought in on the front end of this siting issue, we may be able to determine a location that everyone involved can support.

Sincerely,

  
Kevin M. Crawford, Mayor  
City of Manitowoc

Kevin Crawford  
Mayor

Enclosure

CITY HALL  
817 Franklin Street  
P.O. Box 1597  
Manitowoc, WI 54221-1597  
Phone: (414) 683-4440  
FAX: (414) 683-4424

# **Natural Ovens** **OF MANITOWOC WISCONSIN**

4300 County Trunk CR • P.O. Box 730 • Manitowoc, WI 54221-0730 • (414) 758-2500

EXHIBIT B.

PAUL A STITT  
*President*

BARBARA R. STITT  
*Vice President*

May 13, 1996

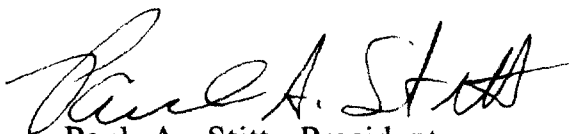
To Whom It May Concern:

I am the owner of a 19.71 acre parcel of land located with the City Limits of Manitowoc, Wisconsin and located in an area stated to be an "assumed site" for High Mark Radio Company's proposal to put a new FM radio station on the air at Two Rivers, Wisconsin.

I do not have any association with Lyle R. Evans or anyone from "High Mark Radio Company", and I have not be contacted about offering my 19.71 acre parcel for a tower site. This parcel is situated along Silver Creek and I do not believe that a tower would be acceptable in this type of pristine and natural development. I have no intent to allow any tower structure on my property.

My parcel of 19.71 acres is one of the largest privately owned parcels in the area.

Sincerely,



Paul A. Stitt, President  
Natural Ovens of Manitowoc, WI

PS/ds

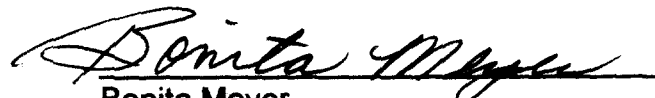
## **CERTIFICATE OF SERVICE**

I, Bonita Meyer, hereby certify that on the 8th day of June, 1996, I served a copy of the foregoing "COUNTER-PROPOSAL AND COMMENTS IN AMENDING THE FM TABLE OF ASSIGNMENTS TO INCLUDE A FIRST FM SERVICE TO TWO RIVERS, WISCONSIN" by first class United States mail, postage prepaid, upon the following:

Konrad Herling  
Federal Communications Commission  
Mass Media Bureau  
1919 "M" Street N.W.  
Room #332  
Washington, D.C. 20554

Lisa Scanlan  
Federal Communications Commission  
Mass Media Bureau  
1919 "M" Street N.W.  
Room #332  
Washington, D.C. 20554

Lyle R. Evans d/b/a  
High Mark Radio Company  
1296 Marian Lane  
Green Bay, WI 54304

  
Bonita Meyer